

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NEW YORK REBAR INSTALLATION, INC. and
UNITED STATES REBAR, INC.,

Plaintiffs,

- against-

ROBERT LEDWITH, TERRENCE MOORE,
FRED LEMOINE, KEVIN KELLY, ALFRED G.
GEROSA, KEVIN O'BRIEN, JOHN BRUNETTI,
and DENNIS ULVERSOY, as TRUSTEES of the
LOCAL #46 METALLIC LATHERS UNION AND
REINFORCING IRON WORKERS PENSION
FUND,

Defendants.

ROBERT LEDWITH, TERRENCE MOORE,
FRED LEMOINE, KEVIN KELLY, ALFRED G.
GEROSA, KEVIN O'BRIEN, JOHN BRUNETTI,
and DENNIS ULVERSOY, as TRUSTEES of the
LOCAL #46 METALLIC LATHERS UNION AND
REINFORCING IRON WORKERS PENSION
FUND,

Counterclaim Plaintiffs,

- against -

NEW YORK REBAR INSTALLATION, INC. and
UNITED STATES REBAR, INC., and CHARLES
DOHERTY,

Counterclaim Defendants.

**COUNTERCLAIM DEFENDANT CHARLES DOHERTY'S APPENDIX IN SUPPORT
OF HIS MOTION FOR PARTIAL SUMMARY JUDGMENT**

Docket No. 07-CIV-7607 (CM)

Exhibit 1	Defendant/Counterclaim Plaintiffs' Answer, Affirmative Defenses, and Counterclaims
Exhibit 2	Settlement Agreement dated April 7, 2006
Exhibit 3	Release dated July 27, 2008
Exhibit 4	Trustees' letters assessing and upholding the assessment of withdrawal liability
Exhibit 5	Trustees' Amended Complaint in the RICO Lawsuit
Exhibit 6	US Rebar's and Doherty's Notice of Motion to Dismiss the RICO Lawsuit
Exhibit 7	Trustees' Opposition to Motion to Dismiss the RICO Case
Exhibit 8	US Rebar's and Doherty's Notice of Motion for Summary Judgment in the RICO Case
Exhibit 9	Affirmation of Michael Rabinowitz
Exhibit 10	Affidavit of Charles Doherty
Exhibit 11	Affidavit of Thomas McDonough
Exhibit 12	June 26, 2008 Stipulation of Dismissal filed in the RICO Case
Exhibit 13	US Rebar' termination notice dated February 24, 2005
Exhibit 14	US Rebar's letters to the Union dated April 6, April 18, April 21, and April 28, 2005
Exhibit 15	Union's Unfair Labor Practice Charge and NLRB Dismissal Letter
Exhibit 16	Criminal Information
Exhibit 17	Delinquent Contribution Docket Sheet
Exhibit 18	Delinquent Contribution Lawsuit Settlement Payment Records

Docket No. 07-CIV-7607 (CM)

Dated: August 20, 2008

BUCHANAN INGERSOLL & ROONEY PC



Ryan P. Farley (RF-6784)
New York Times Building
620 8th Avenue, 23rd Floor
New York, NY 10018
Phone: 212-440-4492
Fax: 212-440-4401
E-mail: ryan.farley@bipc.com

OF COUNSEL:

Robert S. Hawkins
BUCHANAN INGERSOLL & ROONEY PC
1835 Market Street, 14th Floor
Philadelphia, PA 19103-2985
Phone: 215-665-5310
Fax: 215-665-8760
E-mail: robert.hawkins@bipc.com

David J. Laurent
George Basara
BUCHANAN INGERSOLL & ROONEY PC
20th Floor, One Oxford Centre
Pittsburgh, PA 15219-1410
Phone (412) 562-1857
Fax (412) 562-1041
E-Mail: david.laurent@bipc.com